

REMARKS

Claim 1-19 are pending, with claims 1, 11, 13, 15 and 19 being independent. Claims 1-2, 4-5, 8-13, 15 and 17-19 have been amended. No new matter has been added.

Rejections Under 35 U.S.C. § 103

Claims 1-19 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over US Patent Application Publication No. 2002/0068991 to Fitzsimmons ("Fitzsimmons") in view of US Patent Application Publication No. 2001/0054087 to Flom et. al. ("Flom.") The rejections are respectfully traversed.

Claim 1 and its dependent claims

The proposed combination of Fitzsimmons and Flom fails to teach or suggest each and every feature of claim 1. In particular, the proposed combination fails to teach or suggest a central server that is configured to retrieve the data based on an object identification code, separate from the retrieved data, included in the request, as recited in claim 1. The Office contends that the video ID and time code in Fitzsimmons are "clearly data that represents information about an exhibit." (See, Office Action Dated February 5, 2007 at pg. 3, ll. 1-5.) However, the video ID and the time code in Fitzsimmons are not "separate from the retrieved data" as recited in claim 1. The retrieved data, as recited in claim 1, are the actual information that are displayed on the portable device for the user to view. This information, as recited in claim 1, is retrieved by the central server based on identification included in the request. In contrast, the video ID and the time code in Fitzsimmons are merely the identification code detected and transmitted to the portable device.

In fact, Fitzsimmons teaches that "[u]pon receiving the video source ID and time code data, the media controller application resolves the location of the audio file on the hard disk, and initiates playback of the audio file at the position indicated by the time code." (See, Fitzsimmons at ¶ [0059], ll. 6-9.) Thus, the portable device (and not a central server as recited in claim 1) in Fitzsimmons selects the audio file located in the portable device's hard disk and plays the audio file at the position indicated by the time code. Further, since the audio file is already located in

the portable device, there are no data, separate from the identification code, to be transmitted to the portable device by the central server. The only data transmitted to the portable device in Fitzsimmons are the video ID and the time code. In Fitzsimmons, no other data separate from these identification codes are transmitted to the portable device

The addition of Flom fails to alleviate the deficiencies of Fitzsimmons. Flom merely teaches “[a] content manufacturing and distribution system for manufacturing, distributing and caching content over wireless or wired Internet to portable device.” (*See*, Flom at abstract.) Similar to Fitzsimmons, Flom fails to teach or suggest at least a central server that is configured to retrieve the data based on an object identification code, separate from the retrieved data, included in the request, as recited in claim 1. Thus, even if Fitzsimmons and Flom could somehow be combined (which is not conceded), a hypothetical combination of Fitzsimmons and Flom would still fail to teach or suggest each and every feature of claim 1.

For at least these reasons, claim 1 is allowable over the combination of Fitzsimmons and Flom. Claims 2-10 depend from claim 1, and are allowable over the proposed combination for at least the same reasons.

Claim 11 and its dependent claim

Claim 11 is allowable over the proposed combination of Fitzsimmons and Flom for at least reasons similar to claim 1. Claim 12 depends from claim 11 and are allowable over the proposed combination for at least the same reasons.

Claim 13 and its dependent claim

Claim 13 is allowable over the proposed combination of Fitzsimmons and Flom for at least reasons similar to claim 1. Claim 14 depends from claim 11 and are allowable over the proposed combination for at least the same reasons.

Claim 15 and its dependent claims

Claim 15 is allowable over the proposed combination of Fitzsimmons and Flom for at least reasons similar to claim 1. Claims 16-18 depend from claim 15 and are allowable over the proposed combination for at least the same reasons.

Claim 19

Claim 19 is allowable over the proposed combination of Fitzsimmons and Flom for at least reasons similar to claim 1.

Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as intent to concede any issue with regard to any claim, except as specifically stated in this paper.

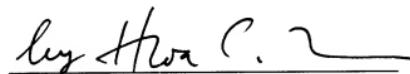
For the foregoing reasons, claims 1-19 are in condition for allowance, and a notice to - that effect is requested.

Please apply the two-month extension of time fee to deposit account 06-1050. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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Fish & Richardson P.C.
PTO Customer No. **26212**
Telephone: (858) 678-5070
Facsimile: (858) 678-5099



John C. Phillips
Reg. No. 35,322

BY HWA C. LEE
REG. NO. 59,747